

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79196 of 2025

Arising Out of PS. Case No.-237 Year-2025 Thana- SHEKHPURA District- Sheikhpura

Yogendra Kumar @ Yogendra Mahto @ Yodendra Mahto, Male, aged about 29 years, S/O Faggu Mahto, resident of village- Asthawan, P.S.- Karandey, Dist.- Sheikhpura

... .. Petitioner/s

Versus

1. The State of Bihar
2. Swastika Kumari, Female, aged about 27 years, D/O Anirudh Mahto, R/O Village- Madari, P.S.- Sirari, Dist.- Sheikhpura

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Ms. Kumari Anupam, Advocate
For the Opposite Party/s :	Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 19-11-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Sheikhpura PS Case No.237 of 2025 dated 26.08.2025, instituted for the offence punishable under Sections 140(1), 140(3), 3(5) of the *Bharatiya Nyaya Sanhita*, 2023.

3. The petitioner is the husband of the victim. There is marital discord between them. Allegation against him is that on the alleged date of occurrence while the informant's daughter, who is the wife of the petitioner, was returning from Court, he along with other accused, named in the FIR and three unknown accused snatched the mobile of the informant's daughter,



assaulted her and kidnapped her.

4. Learned counsel for the petitioner submits that the petitioner and the daughter of the informant are legally wedded spouse and there is no question of kidnapping a wife by her husband. It is further submitted that a divorce case bearing Divorce Case No.38 of 2025 has been filed by the victim (wife of the petitioner) for divorce, whereas, the petitioner has also filed a suit for restitution of conjugal rights vide Matrimonial Case No.41-M of 2025. On the alleged date of occurrence, the petitioner had come forward to mitigate as well as for conciliation with regard to problems of conjugal life, but the petitioner has been implicated in this false and concocted case. It is further submitted that till date no final order has been passed in the divorce case and the same is still pending for final adjudication. Similarly, the matrimonial case filed by the petitioner is also pending for final adjudication. Further submission is that petitioner in custody since 27.08.2025 having clean antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of



Rs. 10,000/- (ten thousand) with two sureties of the like amount
each to the satisfaction of the CJM, Sheikhpura, in Sheikhpura
PS Case No.237 of 2025.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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